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Filing date: **09/30/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91182064
Party	Plaintiff AS Holdings, Inc.
Correspondence Address	Terence J. Linn Van Dyke, Gardner, Linn & Burkhart, LLP. 2851 Charlevoix Drive SE, Ste 207 Grand Rapids, MI 49546 UNITED STATES linn@vglb.com, anne@vglb.com
Submission	Other Motions/Papers
Filer's Name	Terence J. Linn
Filer's e-mail	linn@vglb.com, anne@vglb.com
Signature	/Terence J. Linn/
Date	09/30/2008
Attachments	Request for Correction of Order.pdf ( 2 pages )(63091 bytes ) Certificate of Service #5.pdf ( 1 page )(26565 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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AS HOLDINGS, INC.	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No. 91182064
	)	
H&C MILCOR, INC. f/k/a	)	
AQUATICO OF TEXAS, INC.	)	Serial Number: 76/461,157
	)	Mark: Miscellaneous Design:
Applicant.	)	(Pipe Boot Product Design)
	)	

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**REQUEST FOR CORRECTION OF ORDER EXTENDING SCHEDULED DATES ON  
CONSENTED MOTION OF OPPOSER**

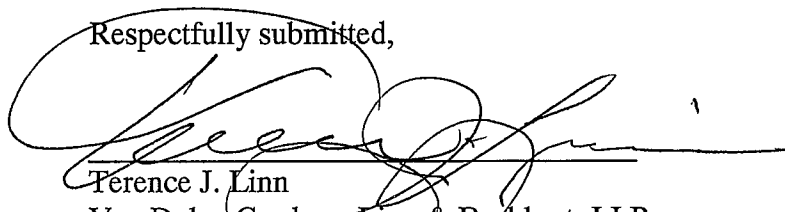
On September 29, 2008 Opposer filed through the ESSTA system a Consented Motion for 60-day Extension of the Discovery Deadline and Subsequent Dates scheduled in the proceeding. At that time the next scheduled deadline was the Discovery Close, which Opposer correctly identified in its filing. Prior scheduled dates, including the date for service of expert disclosures, had already expired well prior to the September 29 date of Opposer's consented motion. Nonetheless, the ESSTA system erroneously generated a new date for service of expert disclosure of October 30, 2008 for both the motion and ensuing order, which date was not part of the Opposer's Consent Motion. Opposer therefore requests correction of the scheduling order of September 29, 2008.

Additionally, on September 24, 2008 Applicant mailed a paper filing of Applicant's Motion to Extend the Discovery Period Under 73 CFR 2.127 and indicated that it was unknown whether Opposer would oppose that extension motion. Since Opposer determined not to oppose a 60-day extension, in order to secure a ruling on extension of the close of discovery prior to the scheduled date for that close of discovery, Opposer filed its motion on September 29, 2008 using

the ESSTA filing system and with the consent of Applicant. For that reason, Applicant's paper filed motion of September 24, 2008 requesting a 60-day extension of time is now moot in view of the Board's Order of September 29, 2008.

Respectfully submitted,

Dated: September 30, 2008



Terence J. Linn

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Attorney for Opposer

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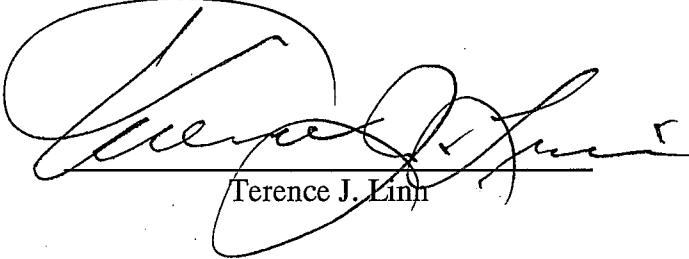
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_____	)	

CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2008, a true and correct copy of the Request for Correction of Order Extending Scheduled Dates on Consented Motion of Opposer was sent via First Class Mail, postage prepaid, to Attorney for Applicant as follows:

Dillis V. Allen  
105 S Roselle Rd, Suite 101  
Schaumburg, IL 60193

  
Terence J. Linn